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Security Council Committee established pursuant to resolution 1540 (2004)

Note verbale dated 28 August 2008 from the Permanent Mission of Afghanistan to the United Nations addressed to the Committee

The Permanent Mission of the Islamic Republic of Afghanistan to the United Nations presents its compliments to the secretariat of the Security Council Committee established pursuant to resolution 1540 (2004) and has the honour to enclose herewith the report of the Islamic Republic of Afghanistan on the implementation of Security Council resolution 1540 (2004) (see annex).

In order to update this report, Afghanistan will continue to provide further relevant information in the future.

09-23922 (E) 240209

Annex to the note verbale dated 28 August 2008 from the Permanent Mission of Afghanistan to the United Nations addressed to the Committee

Report of the Islamic Republic of Afghanistan submitted pursuant to Security Council resolution 1540 (2004)

The present report has been prepared in accordance with paragraph 4 of resolution 1540 (2004) and is being submitted to the Security Council Committee established under rule 28 of the provisional rules of procedure of the Council.

The Islamic Republic of Afghanistan deeply believes that the existence and continued development of weapons of mass destruction (WMD), the possibility of use or threat of use of WMD and the attempts of non-State actors acquiring such weapons are the most threatening factors to international peace and security.

Afghanistan does not possess WMD or produce, stockpiles or transfer nuclear, biological or chemical weapons and their means of delivery.

Being free of nuclear, biological and chemical weapons, the Islamic Republic of Afghanistan remains committed to the objectives of disarmament and non-proliferation, and fully supports the effective implementation of Security Council resolution 1540 (2004) to prevent the proliferation of weapons of mass destruction, and prohibit any non-State actor from acquiring, possessing, developing, transporting, transferring or using nuclear, chemical or biological weapons.

Afghanistan, as a prime victim of international terrorism has taken numerous steps and measures at the domestic level to prevent terrorists from financing, planning, facilitating or committing terrorist acts. Afghanistan, as a country in the forefront of the global war against terrorism, prevents terrorists from acquiring WMD or any light and small weapons. At the international level, Afghanistan is a party to the following international instruments that suppress and prevent terrorist acts:

1. 1963 Convention on Offences and Certain Other Acts Committed on Board Aircraft
2. 1970 Convention for the Suppression of Unlawful Seizure of Aircraft
3. 1971 Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation
4. 1973 Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents
5. 1979 International Convention against the Taking of Hostages
6. 1980 Convention on the Physical Protection of Nuclear Material
7. 1988 Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation
8. 1988 Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation

9. 1988 Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf

10. 1991 Convention on the Marking of Plastic Explosives for the Purpose of Detection

11. 1997 International Convention for the Suppression of Terrorist Bombings

12. 1999 International Convention for the Suppression of the Financing of Terrorism

13. 2005 International Convention for the Suppression of Acts of Nuclear Terrorism

14. 2005 Amendment to the 1980 Convention on the Physical Protection of Nuclear Material

15. 2005 Protocol to the 1988 Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation

16. 2005 Protocol to the 1988 Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf.

Afghanistan, as a party to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction, has fulfilled its mandate of destroying all its known stockpiles of anti-personnel landmines under article four of the Ottawa Convention.

Afghanistan ratified the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction. According to article seven of the Constitution, Afghanistan observes all international treaties which it has joined.

The Islamic Republic of Afghanistan does not have chemical or biological weapons. It fully complies with the provisions of the Convention and fulfils its obligations under the Convention. Moreover, it does not provide any form of support to non-state actors that attempt to develop, acquire, manufacture, possess, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery.

As a state party to the Comprehensive Nuclear-Test-Ban Treaty, Afghanistan supports unreservedly the various international efforts to ensure the non-proliferation and total elimination of all kinds of nuclear and other weapons that threaten humanity.

The Islamic Republic of Afghanistan generally has instituted several legislative, administrative and security measures to deal with counter-terrorism and trafficking of WMD-related materials, and has taken steps for the implementation of resolution 1540 (2004) and all other relevant United Nations resolutions, including resolutions 1267 and 1373. We will provide more required information in this regard.

The Islamic Republic of Afghanistan considers the use of most types of weapons of mass destruction as contrary to international norms, and seeks universal disarmament of all nuclear and conventional weapons.

To promote general and complete disarmament, Afghanistan has supported and sponsored relevant resolutions through the First Committee of the United Nations General Assembly on the control of proliferation of weapons of mass destruction and biological, chemical and nuclear weapons.

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Security Council Committee established pursuant to resolution 1540 (2004)

Note verbale dated 13 December 2007 from the Permanent Mission of San Marino to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of the Republic of San Marino to the United Nations presents its compliments to the Chairman of the Security Council Committee established pursuant to resolution 1540 (2004) and has the honour to submit the first report of the Republic of San Marino to the Security Council Committee established pursuant to resolution 1540 (2004).

09-24339 (E) 260209

Annex to the note verbale dated 13 December 2007 from the Permanent Mission of San Marino to the United Nations addressed to the Chairman of the Committee

Report of the Republic of San Marino to the Security Council Committee established pursuant to resolution 1540 (2004) on the prevention of proliferation of nuclear, chemical and biological weapons and their means of delivery

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Introduction

The Republic of San Marino has the honour to submit its national report in conformity with operative paragraph 4 of resolution 1540, adopted by the Security Council on 28 April 2004. This report was prepared by the Foreign Affairs Department of the Republic of San Marino, which remains at the disposal of the Committee established under resolution 1540 (2004) for further information and clarifications.

The adoption of resolution 1540 has represented a turning point in the fight against the proliferation of weapons of mass destruction. With this resolution, the Security Council intended to provide a clear signal of the need to effectively commit to guaranteeing peace and security of humanity. The threat posed by the proliferation of weapons of mass destruction, and in particular the danger that these weapons could fall into the hands of non-State actors, becomes increasing topical and now more than ever it is necessary to take effective measures in order to prevent the risks posed by their indiscriminate use.

The Republic of San Marino fully supports resolution 1540 and is pleased to reaffirm in this very seat its contribution to international and multilateral initiatives concerning the fight against the proliferation of nuclear, chemical and biological weapons. Moreover, it reiterates the need to achieve immediate and full disarmament in this field through compliance with and full implementation of multilateral treaties.

Indeed, the Republic of San Marino boasts a long tradition of peace, since it renounced having its own army and opted for neutrality, which it maintained also during the two world wars. In foreign political affairs, the Republic of San Marino reiterates on every occasion its support in favour of initiatives aimed at affirming peace and security and pays particular attention to the protection of the victims of armaments causing significant damages to the civil population.

1. Part I: General contribution of the Republic of San Marino to the fight against the proliferation of weapons of mass destruction and their means of delivery

1.1. International treaties and agreements

The Republic of San Marino is a party to the following international agreements and conventions on the non-proliferation of nuclear, chemical and biological weapons and their means of delivery:

- Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and Under Water, of 5 August 1963.
- Treaty on the Non-Proliferation of Nuclear Weapons, of 1 July 1968.
- Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, of 10 April 1972.
- Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, and annexes thereof, of 13 January 1993.
- Comprehensive Nuclear-Test-Ban Treaty, of 10 September 1996.

- Agreement between the Republic of San Marino and the International Atomic Energy Agency on the implementation of the security measures relative to the Treaty on the Non-Proliferation of Nuclear Weapons, signed on 3 March 1995 and on 7 September 1998.

At the present time, the Republic of San Marino is completing its internal procedures to join the International Code of Conduct Against Ballistic Missile Proliferation.

Moreover, on 12 March 2002, the Republic of San Marino acceded in New York to the International Convention for the Suppression of Terrorist Bombings and ratified the International Convention for the Suppression of the Financing of Terrorism.

Finally, on 14 November 2006, San Marino signed two Council of Europe Conventions of 16 May 2005, on the Prevention of Terrorism and on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism, respectively.

1.2. Contribution of the Republic of San Marino to the fight against terrorism

San Marino fully supports the activity of the Counter-Terrorism Committee (CTC), established pursuant to Security Council resolution 1373 (2001), and commits to contributing to its work through an ongoing dialogue on the measures taken to combat terrorism. To this end, the Republic of San Marino submitted the reports requested by the Committee in 2001, 2002, 2003 and 2004.

Moreover, San Marino supports the activities carried out by the United Nations Al-Qaida and Taliban Sanctions Committee established pursuant to Security Council resolution 1267 (1999). San Marino submitted its report to that Committee in March 2004.

2. Part II: Implementation of Security Council resolution 1540 (2004)

2.1. Operative paragraph 1

Decides that all States shall refrain from providing any form of support to non-State actors that attempt to develop, acquire, manufacture, possess, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery

The Republic of San Marino does not provide any form of support to States or to non-State actors that attempt to develop, acquire, manufacture, possess, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery.

2.2. Operative paragraph 2

Decides also that all States, in accordance with their national procedures, shall adopt and enforce appropriate effective laws which prohibit any non-State actor to manufacture, acquire, possess, develop, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery, in particular for terrorist purposes, as well as attempts to engage in any of the foregoing activities, participate in them as an accomplice, assist or finance them

According to article 2 of the *Declaration on the Citizens' Rights and Fundamental Principles of San Marino Constitutional Order* of 8 July 1974,

subsequently amended by Law n. 36 of 26 February 2002, the Republic of San Marino receives generally recognized rules of international law as an integral part of its constitutional order, to which it shall conform its acts and conduct. It rejects war as a means to settle disputes between States and, in its international policy, adheres to the principles enshrined in the Charter of the United Nations. Regularly signed and implemented international agreements on the protection of human rights and freedoms shall prevail over domestic legislation in case of conflict.

The Republic of San Marino fully implemented the international instruments against the proliferation of nuclear, chemical and biological weapons through the following decrees:

- Decree n. 32 of 30 April 1964, "Ratification of the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and Under Water"
- Decree n. 20 of 4 June 1970, "Ratification and Implementation of the Treaty on the Non-Proliferation of Nuclear Weapons"
- Decree n. 67 of 29 July 1974, "Ratification of the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction"
- Decree n. 111 of 28 October 1999, "Ratification of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction"
- Decree n. 32 of 26 February 2002, "Ratification of the Comprehensive Nuclear-Test-Ban Treaty".

The obligations and provisions deriving from the international instruments ratified by the Republic of San Marino concerning the non-proliferation of nuclear, chemical and biological weapons and their means of delivery are fully implemented as an integral part of its constitutional order and prevail over domestic legislation in case of conflict.

With regard to the fight against terrorism, the Republic of San Marino has adopted Law n. 28 of 26 February 2004, "Provisions on anti-terrorism, anti-money laundering and anti-insider trading", which punishes anyone participating in terrorist acts or promoting, establishing, organizing, directing or financing associations that aim at perpetrating violent acts for the purpose of terrorism or, finally, providing participants in terrorist association with assistance or aid in any form. This Law has added new provisions to the Criminal Code, by means of which the provisions contained in the 1999 United Nations International Convention for the Suppression of the Financing of Terrorism, in force in San Marino since 2002, have been received as an integral part of the domestic legislation.

In relation to the protection from possible damages or threats posed to the environment and the population by the use of nuclear, chemical or biological substances, article 236 of the Criminal Code punishes anyone committing an act aimed at causing an epidemic, the slaughter or otherwise the killing of more persons; article 241 deals with attacks on public health through environmental deterioration and punishes anyone who in any manner, even indirectly, spreads in the atmosphere, disperses into flowing or still ground or surface waters, and substances of any nature and species that jeopardize the population; article 246 punishes anyone who spreads in the environment substances that may cause

modifications or alterations in the natural environment such as to adversely influence the life and development of essential living organisms in the ecosystem, or which may otherwise affect the use of water for household, agricultural and industrial purposes; finally, article 249 punishes anyone causing a negligent deterioration of the environment.

2.3. Operative paragraph 3

Decides also that all States shall take and enforce effective measures to establish domestic controls to prevent the proliferation of nuclear, chemical or biological weapons and their means of delivery, including by establishing appropriate controls over related materials and to this end shall:

(a) Develop and maintain appropriate effective measures to account for and secure such items in production, use, storage and transport;

(b) Develop and maintain appropriate effective physical protection measures

The Republic of San Marino does not have an army and has never developed, produced, acquired, possessed or stored nuclear, chemical or biological weapons and their means of delivery

However, through the Agreement signed with the International Atomic Energy Agency in Vienna on 3 March 1995 and in San Marino on 7 September 1998, the Republic of San Marino has committed to accepting the security measures established by the Agency with a view to verifying compliance with the obligations undertaken through the ratification of the Nuclear Non-Proliferation Treaty, in order to avoid the use of nuclear energy for purposes other than peaceful purposes.

Moreover, as requested by the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, the Secretariat of State for Foreign Affairs was entrusted, as National Authority, with the task of acting as focal point connecting the country to the Organization for the Prohibition of Chemical Weapons and to the other States Parties. In the fulfilment of its tasks, the National Authority shall monitor the activities authorized under the Convention.

Law n. 53 of 28 April 1999 disciplines the granting of industrial and handicraft licences. Licences are granted, in the full respect for international agreements and treaties, by the Office of Industry and Handicraft, which verifies that the type of entrepreneurial activity is provided for and authorized by the Law. Likewise, Law n. 69 of 25 May 2004 disciplines the authorization and institutional accreditation of health structure and establishes an Authority with the task of verifying compliance with the Law provisions in the granting of authorizations.

(c) Develop and maintain appropriate effective border controls and law enforcement efforts to detect, deter, prevent and combat, including through international cooperation when necessary, the illicit trafficking and brokering in such items in accordance with their national legal authorities and legislation and consistent with international law;

(d) Establish, develop, review and maintain appropriate effective national export and trans-shipment controls over such items, including appropriate laws and regulations to control export, transit, trans-shipment and re-export and controls on providing funds and services related to such export and trans-shipment such as

financing, and transporting that would contribute to proliferation, as well as establishing end-user controls; and establishing and enforcing appropriate criminal or civil penalties for violations of such export control laws and regulations

The small size of the country (61 square kilometres) facilitates widespread and accurate controls and patrolling by law enforcement agents (Gendarmerie, Civil Police and Guardia di Rocca), especially on the borders, which — together with strict domestic provisions governing the presence of foreigners in the country — makes it virtually impossible for San Marino to be used by terrorists as a hideout or as a location where to plan or organize terrorist acts. Likewise, cases of illicit trafficking and intermediation activities involving nuclear, chemical or biological weapons have never been reported in the Republic of San Marino.

Therefore, efforts made by San Marino in combating terrorism are, in practice, aimed at countering terrorist financing. For this reason, San Marino has undertaken to further protect its banking and financial system from such potential threat by strengthening financial regulation and supervision, in line with the international best practices.

The Agreement on Cooperation and Customs Union between the European Economic Community and the Republic of San Marino entered into force on 28 March 2002. Following the profound transformations that occurred in the European Economic Community first and the European Union afterwards, this Agreement was modified and extended to also include the new member States of the European Union. The Agreement now in force has created a customs union between the Republic of San Marino and the present European Union and has established a cooperation relationship particularly in the commercial, economic, social and cultural fields, thus facilitating the consolidation of the relations between the parties. Customs formalities are completed by the authorized Community customs offices provided for in the above-mentioned Agreement.

2.4. Operative paragraph 5

Decides that none of the obligations set forth in this resolution shall be interpreted so as to conflict with or alter the rights and obligations of State Parties to the Nuclear Non-Proliferation Treaty, the Chemical Weapons Convention and the Biological and Toxin Weapons Convention or alter the responsibilities of the International Atomic Energy Agency or the Organization for the Prohibition of Chemical Weapons

The Republic of San Marino does not interpret any of the obligations set forth in this resolution so as to conflict with the rights and obligations deriving from the Nuclear Non-Proliferation Treaty, the Chemical Weapons Convention and the Biological and Toxin Weapons Convention or alter the responsibilities of the International Atomic Energy Agency or the Organization for the Prohibition of Chemical Weapons.

2.5. Operative paragraph 6

Recognizes the utility in implementing this resolution of effective national control lists and calls upon all Member States, when necessary, to pursue at the earliest opportunity the development of such lists

As already stated, the Republic of San Marino does not produce, import or export any weapons of mass destruction and therefore no national control lists have been developed.

2.6. Operative paragraph 7

Recognizes that some States may require assistance in implementing the provisions of this resolution within their territories and invites States in a position to do so to offer assistance as appropriate in response to specific requests to the States lacking the legal and regulatory infrastructure, implementation experience and/or resources for fulfilling the above provisions

The Republic of San Marino recognizes the fundamental importance of the assistance in implementing the provisions of this resolution by the States that have already adopted a relevant legislation within their territories and, if requested, will do its utmost to offer the necessary assistance to requesting States.

2.7. Operative paragraph 8

Calls upon all States:

(a) To promote the universal adoption and full implementation, and, where necessary, strengthening of multilateral treaties to which they are parties, whose aim is to prevent the proliferation of nuclear, biological or chemical weapons

The Republic of San Marino strongly supports the objective of promoting the universal adoption and full implementation, and, where necessary, the strengthening of international treaties to which it is a party, whose aim is to prevent the proliferation of nuclear, biological and chemical weapons. However, it will pay attention not to place an excessive burden on the small national administrations of microstates through the introduction of new "reporting obligations", already extremely burdensome in the field of disarmament.

(b) To adopt national rules and regulations, where it has not yet been done, to ensure compliance with their commitments under the key multilateral non-proliferation treaties

A working group composed of some officials of the Foreign Affairs Department and of the State Lawyers' Office is drafting a Bill implementing the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction at the national level. This Bill should be ready by the end of 2008.

(c) To renew and fulfil their commitment to multilateral cooperation, in particular within the framework of the International Atomic Energy Agency, the Organization for the Prohibition of Chemical Weapons and the Biological and Toxin Weapons Convention, as important means of pursuing and achieving their common objectives in the area of non-proliferation and of promoting international cooperation for peaceful purposes

San Marino attaches great importance to multilateral collaboration, particularly in the framework of the Organization for the Prohibition of Chemical Weapons and the Biological and Toxin Weapons Convention.

The Republic of San Marino is not a State party to the International Atomic Energy Agency (IAEA). However, it supports its activity and reiterates its commitment to collaborating with this Agency. In 1998, San Marino concluded with the IAEA an agreement on the implementation of security measures concerning the Nuclear Non-Proliferation Treaty. Moreover, San Marino is considering the proposal made by the IAEA to conclude an additional protocol to the agreement on the security measures.

(d) To develop appropriate ways to work with and inform industry and the public regarding their obligations under such laws

All Laws and Parliamentary Decrees ratifying international agreements are published in the Official Bulletin of the Republic of San Marino and in the electronic database available on the website www.consigliograndeegenerale.sm in Italian, so as to guarantee that the major stakeholders involved in this legislation, as well as the general public, are duly informed about the deriving obligations.

Moreover, the website of the Secretariat of State for Foreign Affairs, Political Affairs and Economic Planning (www.esteri.sm) contains all information on the International Organizations of which San Marino is a State party, as well as on the international treaties to which it has acceded.

2.8. Operative paragraph 9

Calls upon all States to promote dialogue and cooperation on non-proliferation so as to address the threat posed by proliferation of nuclear, chemical or biological weapons, and their means of delivery

The Republic of San Marino has always supported, and still supports, international initiatives aimed at promoting dialogue and cooperation on the non-proliferation of nuclear, chemical or biological weapons and calls upon the international community to strengthen these efforts.

2.9. Operative paragraph 10

Further to counter that threat, calls upon all States, in accordance with their national legal authorities and legislation and consistent with international law, to take cooperative action to prevent illicit trafficking in nuclear, chemical or biological weapons, their means of delivery, and related materials

The Republic of San Marino is ready to cooperate, in conformity with the provisions contained in this resolution and in the relevant international instruments, in order to prevent illicit trafficking in nuclear, chemical or biological weapons, their means of delivery, and related materials.

3. Relevant legislation

The complete texts, in the original language, of the San Marino legislation mentioned in this report are available on the website www.consigliograndee generale.sm in the section entitled "Archivio Leggi". For further information on the contribution offered by the Republic of San Marino to the fight against terrorism, please refer to the relevant reports submitted to the Counter-Terrorism Committee (S/2001/1292, S/2002/786, S/2003/841), available on the website: www.un.org/Docs/sc/committees/1373/submitted_reports.html.

Laws:

Law n. 17 of 25 February 1974, "*Approval of the New Criminal Code*".

Law n. 59 of 8 July 1974, "*Declaration on the Citizens' Rights and Fundamental Principles of San Marino Constitutional Order*".

Law n. 53 of 28 April 1999, "*Provisions on the exercise of individual proprietorships in the sector of industry or handicraft by natural persons residing on the territory, procedures for the incorporation and subsequent licensing of manufacturing companies formed by promoters being natural persons either citizens or residents of the Republic of San Marino*".

Law n. 36 of 26 February 2002, "*Review of Law n. 59 of 8th July 1974 (Declaration on the Citizens' Rights and Fundamental Principles of San Marino Constitutional Order)*".

Law n. 28 of 26 February 2004, "*Provisions on anti-terrorism, anti-money laundering and anti-insider trading*".

Law n. 69 of 25 May 2004, "*Provisions on the granting of authorisations concerning the realisation, exercise and institutional accreditation of public and private health and social institutions*".

Decrees:

Decree n. 32 of 30 April 1964, "*Ratification of the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and Under Water*".

Decree n 20 of 4 June 1970, "*Ratification and Implementation of the Nuclear Non-Proliferation Treaty*".

Decree n. 67 of 29 July 1974, "*Ratification of the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction*".

Decree n. 111 of 28 October 1999, "*Ratification of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction*".

Decree n. 32 of 26 February 2002, "*Ratification of the Comprehensive Nuclear-Test-Ban Treaty*".

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Note verbale dated 4 February 2008 from the Permanent Mission of Fiji to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of the Republic of the Fiji Islands to the United Nations presents its compliments to the Chairman of the Security Council Committee established pursuant to resolution 1540 (2004), and has the honour to submit herewith the first report of the Government of the Republic of the Fiji Islands on actions taken to implement Security Council resolution 1540 (2004) (see annex).

09-25116 (E) 120309

Annex to the note verbale dated 4 February 2008 from the Permanent Mission of Fiji to the United Nations addressed to the Chairman of the Committee

Report on actions taken by the Government of the Republic of the Fiji Islands to implement Security Council resolution 1540 (2004)

Introduction

Fiji supports the prohibition, destruction and elimination of all kinds of weapons of mass destruction, including nuclear, biological and chemical weapons. Fiji opposes the proliferation of such weapons and their means of delivery and supports the attainment of the non-proliferation goal through peaceful means. Fiji supports the unequivocal condemnation of all acts, methods and practices of terrorism in all its forms and manifestations, wherever and by whoever, irrespective of the motives, and further condemns outright all acts or actions, irrespective of their instigators or perpetrators, intended to encourage, support, finance or cover up any terrorist act, method or practice.

The Governm the Republic of the Fiji Islands supports all international initiatives and arrangements that have as their objective the suppression of terrorist activity or the proliferation of nuclear, chemical or biological substances or their means of delivery and will continue to advocate for an international cooperation that is truly effective in preventing and combating all terrorist acts, based on a framework of international legitimacy and full respect for the principles of international law and the purposes and principles of the Charter of the United Nations.

In accordance with United Nations Security Council resolution 1540 (UNSCR 1540), the Government of the Republic of the Fiji Islands presents this report outlining the steps that have been taken and intends to take to implement this resolution.

Operative paragraph one:

> Decides that all States shall refrain from providing any form of support to non-State actors that attempt to develop, acquire, manufacture, possess, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery;

The Republic of the Fiji Islands does not possess, manufacture or trade in nuclear, chemical or biological weapons, nor does it support or provide any form of assistance to non-State actors to develop, acquire, manufacture, possess, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery.

In relation to resolution 1540, Fiji has signed and ratified the following international conventions:

Biological Weapons Convention (BWC)

Chemical Weapons Convention (CWC)

Nuclear Non-Proliferation Treaty (NPT)

Comprehensive Nuclear-Test-Ban Treaty (CTBT)

Geneva Protocol of 1925

Nuclear Weapons Free Zone Protocols — Treaty of Rarotonga

Fiji has also subscribed to the Hague Code of Conduct (HCOC).

Despite being a non-member of the International Atomic Energy Agency (IAEA), Fiji has nevertheless signed its two Safeguard Agreements: the Agreement between the Government of Fiji and the International Atomic Energy Agency for the Application of Safeguards in connection with the Treaty on the Non-Proliferation of Nuclear Weapons (with Protocol) and the Protocol Additional to the Agreement for the Application of Safeguards in connection with the Treaty on the Non-Proliferation of Nuclear Weapons.

In addition to the above, Fiji has also signed the Declaration of Intent to Implement the World Customs Organization's (WCO) 2005 Framework of Standards to Secure and Facilitate Global Trade (SAFE Framework).

In respect of other relevant international conventions yet to be adopted, the Government of Fiji recognizes the importance of, and agrees in principle with their objectives and (relative to other domestic and international priorities); Fiji intends giving consideration to their adoption as well.

Operative paragraph two:

> Decides also that all States, in accordance with their national procedures, shall adopt and enforce appropriate effective laws which prohibit any non-State actor to manufacture, acquire, possess, develop, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery, in particular for terrorist purposes, as well as attempts to engage in any of the foregoing activities, participate in them as an accomplice, assist or finance them;

The following are the legislative and operational measures that are currently in place or are under development by the Government of the Republic of the Fiji Islands to prevent the various activities targeted by UNSCR 1540 (i.e. the non-proliferation of weapons of mass destruction (WMD)).

Existing legislation

The Chemical Weapons Convention Act 2005

Fiji has signed the *Chemical Weapons Convention (CWC)*. The *Chemical Weapons Convention Act 2005* implements Fiji's legislative obligations under the Act. Key provisions of the Act:

- Establishes a designated National Authority for the purposes of the CWC, with functions that include liaising with the OPCW and other State Parties, the submission of notifications, the conduct of national inspections and approval of chemicals and precursors listed in the CWC Schedules;

- Confers information gathering and enforcement powers on the National Authority;
- Creates offences required to implement the objectives of the CWC, in particular *Section 9* which provides:

(1) A person who intentionally or recklessly

(a) develops, produces, acquires, stockpiles, owns, possesses, or retains chemical weapons or transfers, directly or indirectly, chemical weapons to any other person;

(b) uses chemical weapons;

(c) engages in any military preparations to use chemical weapons;

(d) aids, assists, counsels or procures, in any way, any other person to engage in any activity prohibited to a State Party under the Convention;

(e) transfers to or receives from any other person in a State which is not a party to the Convention, any of the toxic chemicals or precursors listed in Schedule 1 or Schedule 2 to the Annex on Chemicals;

(f) transfers any toxic chemical or precursor listed in Schedule 3 to the Annex on Chemicals to a person in a State which is not party to the Convention except any transfer by virtue, of section C of Part VIII of the Verification Annex and with the approval of the Authority;

(g) uses riot control agents as a method of warfare;

(h) without the approval of the Authority, produces, uses or transfers any toxic chemical or precursor listed in Schedule 1 to the Annex on Chemicals;

(i) without the approval of the Authority, exports or imports any toxic chemical or precursor listed in Schedules 1, 2 and 3 to the Annex on Chemicals;

(j) engages in any other activity prohibited to a State Party under the Convention;

commits an offence and is liable on conviction to a fine not exceeding $1,000,000 or to a maximum term of imprisonment for life or both.

Legislation under development

Counter-Terrorism and Organized Crime (Model) Bill

A *Counter-Terrorism and Transnational Organized Crime Model Bill* (the Model Bill) developed under the auspices of the Pacific Islands Forum Secretariat is currently being considered by senior officials for possible adoption by the Government of Fiji.

The Model Bill contains a number of offences relevant to UNSCR 1540. In particular, it includes a draft offence of providing weapons to terrorist groups, or specified entities. The term "weapon" in the Bill includes firearms, chemical, biological or nuclear weapons.

The Bill also contains a proposed offence of unauthorized importation/exportation or transportation of nuclear material. Other offences include receiving, possessing, using, transferring, altering, disposing or dispersing, stealing, fraudulently obtaining, demanding or threatening the use of nuclear material to cause death or serious injury to person or damage to property. The Bill imposes criminal liability for persons who conspire, attempt or assist the commission of these offences. There is also a possibility of exploring the extension of the coverage of this planned legislation to include other areas which are not currently covered by existing legislations in an omnibus fashion.

In addition to the Model Bill, officials are developing draft legislation that will update and consolidate existing legislation governing the importation, manufacture, sale or use of all chemicals.

Operative paragraph three:

> Decides also that all States shall take and enforce effective measures to establish domestic controls to prevent the proliferation of nuclear, chemical, or biological weapons and their means of delivery, including by establishing appropriate controls over related materials and to this end shall:
>
> (a) Develop and maintain appropriate effective measures to account for and secure such items in production, use, storage or transport;
>
> (b) Develop and maintain appropriate effective physical protection measures;
>
> (c) Develop and maintain appropriate border controls and law enforcement efforts to detect, deter, prevent and combat, including through international cooperation when necessary, the illicit trafficking and brokering in such items in accordance with their national legal authorities and legislation and consistent with international laws;
>
> (d) Establish, develop, review and maintain appropriate effective national export and trans-shipment controls over such items, including appropriate laws and regulations to control export, transit, trans-shipment and re-export and controls on providing funds and services related to such export and trans-shipment such as financing, and transporting that would contribute to proliferation, as well as establishing end-user controls, and establishing and enforcing appropriate criminal and civil penalties for violations of such export control laws and regulations;

The Government of Fiji considers that existing legislation of above and below, together with the enactment of legislation currently under development (e.g., Model counter-terrorism Bill/Biosecurity Bill), also contributes to implementation of requirements in OP 3.

Health and Safety at Work Act 1996

The *Health and Safety at Work Act 1996* regulates the importation and use of chemicals within Fiji for industrial purposes. The Department of Labour is responsible for administering this legislation, which would also have application to OP 3d and OP 6 of resolution 1540.

Section 52 of the Act empowers the Minister of Labour to prohibit or restrict the import, export, manufacture, use or disposal of a chemical or pesticide by publishing in the Gazette a notice listing certain chemicals, together with any prohibitions or restrictions on their import, export, manufacture, use or disposal. Failure to comply with a notice issued under this Section is an offence and carries a fine of up to $100,000.

Section 53 directs the Chief Health and Safety Inspector to administer a "Fiji Chemical Inventory". The Minister may decide that those importing or manufacturing or supplying chemicals which are not listed on the Inventory, must notify and provide information to be prescribed, on the health, safety or environmental effects of chemicals not listed on the Inventory to the Chief Inspector.

The Minister may, upon receiving advice from the Permanent Secretary in consultation with the Board, make regulations, regulating or prohibiting the manufacture, supply or use of any plant; or the manufacture, supply, use, storage or transport of any substance.

This Act also provides a procedure by which expert assessments of chemicals can be obtained and acted upon by the Minister and Department of Labour. In practice, the Department of Labour utilizes specialist laboratories in the University of South Pacific to analyse and assess unknown chemicals.

Under *Section 63*, the Minister may, in conjunction with the Board and Inspectorate, issue a code of practice consisting of standards, rules, specifications or provisions relating to matters in this Act or those which are formulated, prepared or recommended by the Board in liaison with the Inspectorate Department of Labour.

The Environment Management Act 1995 (EMA)

The Department for the Environment administers and enforces the EMA. The Act regulates (among other things) "hazardous substances" (substances which, due to their nature, condition and quantity are toxic and capable of posing an immediate or long-term risk to human health or the environment) and "hazardous waste" (toxic, inflammable, corrosive, reactive, infective or explosive waste, and includes waste which is potentially hazardous to human health or the environment) and "pollutants" (dredged spoil, solid or liquid waste, industrial municipal or agricultural waste, incinerator residue, sewage, sewage sludge, garbage, chemical waste, hazardous waste, biological material, radioactive materials, wrecked or discarded equipment, oil or any oil residue and exhaust gases or other similar matter).

The Act provides for the establishment of the National Environment Council, a body of senior officials chaired by the Chief Executive Officer, Ministry for the Environment, the Chief Executive Officers for the Ministries responsible for land, mineral resources, agriculture, fisheries or forests, Health, Tourism, Fijian Affairs, the General Manager of the Native Land Trust Board, the President of the Local

Government Association, a representative of non-governmental organizations, an academic, and two representatives of the business community, and manufacturing industries.

The functions of the Council include the approval of the national environment report and strategy and the provision of advice to the Government on international and regional treaties, conventions and agreements relating to the environment.

Under *Section 4*:

(1) Any person who causes or contributes to the discharge of a waste or pollutant from any vessel, aircraft or facility commits an offence and is liable on conviction

(a) For a first offence, to a fine exceeding $250,000 and to a term of imprisonment not exceeding 3 years or both;

(b) For a second or subsequent offence, to a fine not exceeding $750,000 and to a term of imprisonment not exceeding 10 years or both.

(2) A person who, knowingly or intentionally or with reckless disregard to human health, safety or the environment, causes a pollution incident that results in harm to human health or safety, or severe damage to the environment commits an offence and is liable on conviction to a fine not exceeding $1,000,000 or to life imprisonment or both.

(3) Where a body corporate is convicted under the section the maximum penalty is 5 times the fine specified for that offence.

Biosecurity Bill

Furthermore, officials from relevant agencies are also assessing a draft Biosecurity Bill for possible introduction into Parliament when it next sits. This Bill, under development for the last two years would significantly update existing quarantine legislation and enhance the government's ability to manage biosecurity risks at the border and adopt other measures that could be considered for further implementation within OP 3. The bill would broaden the range of organisms and substances that are subject to legislative regulation and contains enhanced powers for border security agencies.

Stockholm Convention on Persistent Organic Pollutants

A National Plan for the implementation of the Stockholm Convention on Persistent Organic Pollutants in the Fiji Islands has been developed by the Department for Environment and came into effect in June 2005. Furthermore, Fiji is a member of the South Pacific Regional Environment Program (SPREP), a regional organization based in Samoa to lead the Pacific region's participation in the United Nations Environment Programme's Stock-take of Obsolete Chemicals (POP's). In 2006 a stock-take of obsolete chemicals present in Fiji Islands was undertaken. Chemicals requiring specialist disposal procedures were identified and Government officials are awaiting confirmation from Australian Government officials about arrangements for final disposal.

Customs Act 1986

The primary legislation governing the movement of goods over Fiji's border is the *Customs Act 1986*. Under the Act, operators of ships or aircraft are required to provide information related to passengers, crew or cargo to officials prior to arrival or disembarkation. Operators of ships or aircraft who fail to comply with these requirements are subject to criminal offences and penalties.

Arms and Ammunitions Act 2003

The *Arms and Ammunitions Act 2003* regulates the manufacture, importation, exportation, sale, possession, use and storage of arms and ammunition within the Fiji Islands. The definition of the terms "Arms" and "Ammunition" are broad enough to cover most forms of weapons (including nuclear, chemical, and biological weapons from the generic references to "any lethal weapon"; "noxious liquid, gas or other thing dangerous"):

(i) any lethal weapon with or without barrel of any description from which any shot, bullet or other missile can be discharged or which can be adapted for the discharge of any such shot, bullet or other missile; and

(ii) any weapon of any description designed or adapted for the discharge of any noxious liquid, gas or other thing dangerous to persons;

(b) and includes any component part of any weapon mentioned in paragraph (a) (i) or (ii), any accessory to any such weapon designed or adapted to diminish the noise or flash caused by firing the weapon and any explosive-operated power tool, ramset, hilt or fire nail fastener operated by pneumatic pressure; (c) but does not include an article designed or adapted solely to discharge a spear for spearing fish.

Government and other agencies

To facilitate enforcement of some of the measures in the above-mentioned legislation, several government agencies have border security functions and responsibilities. These include Customs, Police, Immigration and Quarantine Services together with the Air and Sea Port authorities. The functions of the following agencies are relevant:

The *Combined Law Agency Group (CLAG)*: A memorandum of understanding has been signed by Chief Executives for the reformation of a national CLAG. It is expected that meetings of the body will be recommenced in the near future to provide a regular inter-agency forum for the coordination of policy and operational activities for law enforcement and border-security agencies, including issues relevant to implementation of resolution 1540.

The *Counter Terrorism Officials Group (CTOG)*, chaired by the Chief Executive of the Ministry of Justice and comprising senior officials from agencies with counter-terrorism functions operates as a coordinating body for counter-terrorism activities, including issues as relevant to implementation of resolution 1540. This standing group meets regularly to discuss strategic policy issues and is supported by a secretariat. The group, whose activities were mandated by Cabinet in 2006 reports to relevant ministers.

The *National Border Security Committee (BSE)*, comprised of officials from Police, Customs, Agriculture and Fisheries, Immigration, Ports Authorities (Sea and Air), Defence, Transport, and others, meets on a monthly basis to discuss policy and operational issues related to border security. In addition to the National Committee four regional committees operate to address issues specific to air or seaports.

Officials form the Ports Authorities and border security agencies are undertaking ongoing work to develop security plans for Fiji's air and seaports. The objective of this work is to ensure that security measures in place in Fiji meet the International Convention on SOLAS and the new International Ship and Port Security Code.

The *National Civil Aviation Security Program*, based on ICAO standards, has been developed by officials. Fiji's security plans are due to be evaluated by an evaluation team from ICAO in 2007 and teams from the United States Government have also conducted on-site inspections. A review of Civil Aviation legislation is under way and is likely to recommend changes required to implement the findings of the ICAO review.

The Fiji Police and its Trans-national Crime Unit (TCU) has close relationships with other regional law enforcement agencies, the Australian Federal Police (AFP) and the Pacific Transnational Crime Coordination Centre (PTCCC) in Suva, Fiji. Through these associations it has access to regional and international intelligence channels such as INTERPOL and other relevant intelligence agencies. In addition, Fiji's Customs Service is an active member of the Oceania Customs Organisation (in the process of developing a Model Customs Bill for Pacific Island Countries Customs) and a member of CAPERS and SPLEXNET intelligence sharing networks. Similarly, the Immigration Service is an active participant in the Pacific Immigration Directors Conference and regularly receives and contributes intelligence with other members.

Operative paragraph four:

> Decides to establish, in accordance with rule 28 of its provisional rules of procedure, for a period of no longer than two years, a Committee of the Security Council, consisting of all members of the Council, which will, calling as appropriate on other expertise, report to the Security Council for its examination, on the implementation of this resolution, and to this end calls upon States to present a first report no later than six months from the adoption of this resolution to the Committee on steps they have taken or intend to take to implement this resolution;

Fiji acknowledges the assistance rendered by the 1540 Committee/Experts in facilitating the formulation of this report and looks forward to further future cooperation.

Operative paragraph five:

> Decides that none of the obligations set forth in this resolution shall be interpreted so as to conflict with or alter the rights and obligations of State Parties to the Nuclear-Non-Proliferation Treaty, the Chemical Weapons Convention and the Biological and Toxin Weapons Convention or alter the responsibilities of the International Atomic Energy Agency or the Organization for the Prohibition of Chemical Weapons;

The Government of Fiji acknowledges that no aspect of UNSCR 1540 is to be interpreted in a manner that conflicts with the rights and obligations contained in the above cited treaties, conventions and arrangements.

Operative paragraph six:

> Recognizes the utility in implementing this resolution of effective national control lists and calls upon all Member States, when necessary, to pursue at the earliest opportunity the development of such lists;

The Government of Fiji does not operate a comprehensive controlled goods regime of the type contemplated by UNSCR 1540. However, items like chemical and biological substances that are commonly regulated by such regimes are subject to controls under existing laws of Fiji as mentioned above.

The Government's Counter Terrorism Officials Group (CTOG), which comprises Government representatives of all relevant stakeholders of the UNSCR 1540, has had numerous consultations with the UNODC, the UNSCR 1540 experts and representatives from the Pacific region on the issue. From these consultative processes, the Government recognizes the need for an effective adoption and enforcement of a national controlled goods list governing nuclear, chemical, biological, dual-use items, etc.

The Government acknowledges that its laws need to be revised in order to reflect the UNSCR 1540 requirements. In addition, the development of the necessary regime in the implementation, enforcement and monitoring of these requirements is equally crucial.

The Government supports the implementation of OP 6 of UNSCR 1540 but realizes that it needs a multilateral effort. The Government recognizes what needs to be done; however, it does not have the expertise and the technical tools to effectively fulfil its obligations. Consequently, the Government of Fiji would welcome any technical assistance available to develop and implement this element of UNSCR 1540.

Operative paragraph seven:

> Recognizes that some States may require assistance in implementing the provisions of this resolution within their territories and invites States in a position to do so to offer assistance as appropriate in response to specific requests to the States lacking the legal and regulatory infrastructure, implementation experience and/or resources for fulfilling the above provisions;

As highlighted, the Government of Fiji needs assistance in implementing the provisions of UNSCR 1540. The Government seeks assistance in the following areas:

(1) drafting of appropriate legislation and the development of a regulatory infrastructure;

(2) development of the national controlled goods regime;

(3) capacity-building including training for border security and related agencies in the identification, handling and notification procedures applicable to substances and items subject to UNSCR 1540 controls;

(4) institutional strengthening; and

(5) provision of any other appropriate resources whether financial, technical or otherwise that is deemed necessary for fulfilling all UNSCR 1540 obligations.

Having signed the WCO Declaration, and in line with 3 above, Fiji will also explore the possibility under the World Customs Organization to request for Diagnostic Mission assessment to identify possible future assistance to improve border security.

Operative paragraph eight:

> OP 8 calls upon all States:
>
> (a) To promote the universal adoption and full implementation, and, where necessary, strengthening of multilateral treaties to which they are parties, whose aim is to prevent the proliferation of nuclear, chemical and biological weapons;
>
> (b) To adopt national rules and regulations, where it has not yet been done, to ensure compliance with their commitments under the key multilateral non-proliferation treaties;
>
> (c) To renew and fulfil their commitment to multilateral cooperation, in particular within the framework of the International Atomic Energy Agency, the Organization for the Prohibition of Chemical Weapons and the Biological and Toxin Weapons Convention, as important means of pursuing and achieving their common objectives in the area of non-proliferation and of promoting international cooperation for peaceful purposes;
>
> (d) To develop appropriate ways to work with and inform industry and the public regarding their obligations under such laws;

(a) To promote the universal adoption and full implementation, and, where necessary, strengthening of multilateral treaties to which they are parties, whose aim is to prevent the proliferation of nuclear, chemical and biological weapons;

Fiji is a signatory to several international and regional conventions relevant to UNSCR 1540 as stated under OP 1. For the purpose of its obligation under UNSCR 1540, the Government of Fiji realizes that there are other crucial conventions that are yet to be adopted to ensure that Fiji is in line with the universal objective of preventing the proliferation of nuclear, biological or chemical weapons. Fiji notes that with the necessary technical and financial assistance of the relevant donor countries and agencies including the United Nations, Fiji would certainly be a leading advocate of UNSCR 1540 in the region and also assist its neighbours in the fulfilment of their obligations under the resolution.

(b) To adopt national rules and regulations, where it has not yet been done, to ensure compliance with their commitments under the key multilateral non-proliferation treaties;

As highlighted above, Fiji needs technical and financial assistance in the drafting of its legislations to be consistent with international standards in the field of non-proliferation treaties. Fiji envisions the establishment of a proper regime to enforce, implement and monitor these international standards even though it recognizes that such regime will only be effective if the relevant enabling laws are in place and enforceable by law. There are two draft legislations that are currently under consideration; the "Counter-Terrorism Organized Crime Model Bill" and the "Biosecurity Bill" as noted under OP 2. These two Bills are both relevant to UNSCR 1540 and as such the Government may need further assistance in particular technical expertise in ensuring that the required international standards under 1540 and other relevant conventions are adopted under these Bills.

(c) To renew and fulfil their commitment to multilateral cooperation, in particular within the framework of the International Atomic Energy Agency, the Organization for the Prohibition of Chemical Weapons and the Biological and Toxin Weapons Convention, as important means of pursuing and achieving their common objectives in the area of non-proliferation and of promoting international cooperation for peaceful purposes;

The Government of Fiji recognizes that the achievement of the common objective in the area of non-proliferation is universal in nature hence it assures its commitment and support in multilateral cooperation. The Government anticipates the strengthening of its relations with the countries in the region in particular Australia and New Zealand in the area of non-proliferation to ensure that our common objective espoused under the relevant international conventions especially the Rarotonga Treaty is achieved. Furthermore, the Government of Fiji is committed to the enhancement of its relations with the United Nations and other donor countries and agencies in this area to guarantee that the promotion of international cooperation for peaceful purposes is achieved.

(d) To develop appropriate ways to work with and inform industry and the public regarding their obligations under such laws.

The Government of Fiji is committed to maintaining its transparent work relationship with all the sectors of the economy, including the private sector, civil society and the public as a whole.

As noted under OP 3, the Government of Fiji has a Counter-Terrorism Officials Group (CTOG), a Combined Law Agency Group (CLAG) and a National Border Security Committee (BSE) which inter alia under its mandate advises the Government on the issues pertaining to UNSCR 1540. These agencies are represented by all government departments and agencies that individually have a developed work relationship with all other government agencies, civil society and the public in general. Consequently, when these agencies advise the Government on a particular issue, it is based on a conclusion which is drawn after consultations with other relevant bodies and individuals.

Furthermore, prior to any commitment by the Government either in ratifying a treaty, drafting of a legislation or a policy for that matter, the Government always holds consultations with all relevant government agencies, civil society and the public. The Government is committed to this transparent process and believes that it is an interactive way of ensuring that it not only makes informed decision but more importantly that its decision is democratic in that it is mandated by the people.

On the issue of non-proliferation, the Australian Government in 2007 sponsored a workshop that was held in Suva, Fiji, where the Government of Fiji invited all the relevant agencies including the private and public sectors like the mining companies, hospitals, university representatives and major laboratories to the workshop. The workshop was a follow-up to the IAEA Workshop that was held in Sydney, Australia in 2006. This in itself not only symbolizes international cooperation, but more importantly portrays an excellent way that the Government of Fiji is working with the private sector in the area of non-proliferation to inform and show these agencies of the Government's commitment in the area.

Operative paragraph nine:

> Calls upon all States to promote dialogue and cooperation on non-proliferation so as to address the threat posed by proliferation of nuclear, chemical or biological weapons, and their means of delivery;

The Government of Fiji has and will continue to promote dialogue and cooperation on non-proliferation through:

(1) active and consistent participation in the United Nations through the General Assembly and other United Nations forums or through United Nations agencies and bodies in the promotion of international peace security;

(2) productive bilateral meetings with other countries in particular the development partners;

(3) participation in regional forums with the objective to promote dialogue on non-proliferation issues and highlight concerns and emerging issues that hinder the vulnerable Pacific region;

(4) domestically, as stated under OP 8, the Government is committed to building better relations with all sectors of the economy, which is only possible through dialogue and cooperation; and

(5) the consistent and collective undertaking by all relevant government departments and agencies through its membership in CTOG, CLAG, BSE or in their capacity to work together transparently and constructively through dialogue and cooperation.

Operative paragraph ten:

> Further to counter that threat, calls upon all States, in accordance with their national legal authorities and legislation and consistent with international law, to take cooperative action to prevent illicit trafficking in nuclear, chemical or biological weapons, their means of delivery, and related materials.

Please refer to preceding paragraphs.